

§ 52.470

40 CFR Ch. I (7–1–03 Edition)

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.465, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

Subpart J—District of Columbia

§ 52.470 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for the District of Columbia under section 110 of the Clean Air Act (42 U.S.C. 7401) and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to July 1, 1998 was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material

will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after July 1, 1998, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 3 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State implementation plan as of July 1, 1998.

(3) Copies of the materials incorporated by reference may be inspected at the Region 3 EPA Office at 1650 Arch Street, Philadelphia, PA 19103; the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC; or at EPA, Air and Radiation Docket and Information Center, Air Docket (6102), 401 M St., SW., Washington, DC 20460.

(c) *EPA approved regulations.*

EPA-APPROVED DISTRICT OF COLUMBIA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Comments
Chapter 1—General				
Section 100 ..	Purpose, Scope and Construction	3/15/85	8/28/95, 60 FR 44431	Definitions of the terms actual emissions, allowable emissions, begin actual construction, commence, complete, major modification, major stationary source, necessary preconstruction approvals, net emissions increase, new source, potential to emit, shutdown, and significant.
Section 101 ..	Inspection	3/15/85	8/28/95, 60 FR 44431	
Section 102 ..	Orders for Compliance	3/15/85	8/28/95, 60 FR 44431	
Section 104 ..	Hearings	3/15/85	8/28/95, 60 FR 44431	
Section 105 ..	Penalty	3/15/85	8/28/95, 60 FR 44431	
Section 106 ..	Confidentiality of Reports	3/15/85	8/28/95, 60 FR 44431	
Section 107 ..	Control Devices or Practices	3/15/85	8/28/95, 60 FR 44431	
Section 199 ..	Definitions and Abbreviations	4/29/97	12/7/99 64 FR 68295	
Section 199 ..	Definitions and Abbreviations	12/8/00	May 9, 2001 66 FR 23614	
Section 8–2: 702.	Definitions; definition of “stack”	7/7/72	9/22/72, 37 FR 19806	
Section 8–2: 724.	Variances	7/7/72	9/22/72, 37 FR 19806	Addition of the definition of the word “carrier” to subsection 199.1.

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EPA-APPROVED DISTRICT OF COLUMBIA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Comments
Chapter 2—General and Non-Attainment Area Permits				
Section 200 ..	General Permit Requirements	4/29/97	7/31/97, 62 FR 40937	Paragraphs (c) through (i), as they apply to operating permits for sources not subject to the provisions of Section 204
Section 201 ..	General Requirements for Permit Issuance	4/29/97	7/31/97, 62 FR 40937	
Section 202 ..	Modification, Revocation and Termination of Permits.	4/29/97	7/31/97, 62 FR 40937	
Section 204 ..	Requirements for Sources Affecting Nonattainment Areas.	4/29/97	7/31/97, 62 FR 40937	
Section 206 ..	Notice and Comment Prior To Permit Issuance ..	4/29/97	7/31/97, 62 FR 40937	
Section 299 ..	Definitions and Abbreviations	4/29/97	7/31/97, 62 FR 40937	
Section 8-2: 720.	Permits to Construct or Modify; Permits to Operate.	7/7/72	9/22/72, 37 FR 19806	
Chapter 4—Ambient Monitoring and Emergency Procedures				
Section 400 ..	Air Pollution Monitoring	3/15/85	8/28/95, 60 FR 44431	
Section 401 ..	Emergency Procedures	3/15/85	8/28/95, 60 FR 44431	
Section 499 ..	Definitions and Abbreviations	3/15/85	8/28/95, 60 FR 44431	
Chapter 5—Source Monitoring and Testing				
Sections 500.1 through 500.3.	Records, Reports and Monitoring Devices	3/15/85	8/28/95, 60 FR 44431	Exceptions: Paragraphs 5.11, 5.12 and 5.14 are not part of the SIP Provision is amended by adding an oxygenated gasoline sampling procedure and oxygen content calculation.
Sections 500.4, 500.5.	Records, Reports, and Monitoring Devices	9/30/93	1/26/95, 60 FR 5134	
Section 500.6	Records and Reports	09/30/93	10/27/99 64 FR 57780	
Section 500.7	Emission Statements	9/30/93	5/26/95, 60 FR 27944	
Section 501 ..	Monitoring Devices	3/15/85	8/28/95, 60 FR 44431	
Sections 502.1 through 502.15.	Sampling, Tests and Measurements	3/15/85	8/28/95, 60 FR 44431	
Section 502.17.	Sampling Tests, and Measurements	09/30/93	10/27/99 64 FR 57780	
Section 502.18.	Sampling Tests and Measurements	12/8/00	May 9, 2001 66 FR 23614	
Section 599 ..	Definitions and Abbreviations	09/30/93	10/27/99 64 FR 57780	
Chapter 6—Particulates				
Section 600 ..	Fuel-Burning Particulate Emissions	3/15/85	8/28/95, 60 FR 44431	
Section 601 ..	Rotary Cup Burners	3/15/85	8/28/95, 60 FR 44431	
Section 602 ..	Incinerators	3/15/85	8/28/95, 60 FR 44431	
Section 603 ..	Particulate Process Emissions	3/15/85	8/28/95, 60 FR 44431	
Section 604 ..	Open Burning	3/15/85	8/28/95, 60 FR 44431	
Section 605 ..	Control of Fugitive Dust	3/15/85	8/28/95, 60 FR 44431	
Section 606 ..	Visible Emissions	3/15/85	8/28/95, 60 FR 44431	
Section 699 ..	Definitions and Abbreviations	3/15/85	8/28/95, 60 FR 44431	
Chapter 7—Volatile Organic Compounds				
Section 700 ..	Organic Solvents	03/15/85	10/27/99 64 FR 57780	

EPA-APPROVED DISTRICT OF COLUMBIA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Comments
Section 701.1 through 701.3.	Storage of Petroleum Products	03/15/85	10/27/99 64 FR 57780	
Section 702 ..	Control of VOC leaks from Petroleum Refinery Equipment.	03/15/85	10/27/99 64 FR 57780	
Section 703.2, 703.3.	Terminal Vapor Recovery—Gasoline or VOCs	03/15/85	10/27/99 64 FR 57780	
Section 703.1, 703.4 through 703.7.	Terminal Vapor Recovery—Gasoline or VOCs	09/30/93	10/27/99 64 FR 57780	
Section 704 ..	Stage I—Vapor Recovery	03/15/85	10/27/99 64 FR 57780	
Section 705.4 through 705.14.	Stage II—Gasoline Vapor Recovery	03/15/85	10/27/99 64 FR 57780	
Section 705.1 through 705.3.	Stage II—Gasoline Vapor Recovery	09/30/93	10/27/99 64 FR 57780	
Section 706 ..	Petroleum Dry Cleaners	03/15/85	10/27/99 64 FR 57780	
Section 707 ..	Perchloroethylene Dry Cleaning	03/15/85	10/27/99 64 FR 57780	
Section 708.1 through 708.8.	Solvent Cleaning	03/15/85	10/27/99 64 FR 57780	
Section 708.9 through 708.12.	Solvent Cleaning	10/02/98	10/27/99 64 FR 57780	
Section 709 ..	Asphalt Operations	03/15/85	10/27/99 64 FR 57780	
Section 710 ..	Engraving and Plate Printing	03/15/85	8/4/92 57 FR 34249	
Section 711 ..	Pumps and Compressors	03/15/85	10/27/99 64 FR 57780	
Section 712 ..	Waste Gas Disposal from Ethylene Producing Plant.	03/15/85	10/27/99 64 FR 57780	
Section 713 ..	Waste Gas Disposal from Blow-down Systems ...	03/15/85	10/27/99 64 FR 57780	
Section 715 ..	Reasonably Available Control Technology	09/30/93	10/27/99 64 FR 57780	
Section 716 ..	Offset Lithography	10/02/98	10/27/99 64 FR 57780	
Section 799 ..	Definitions and Abbreviations	10/02/98	10/27/99 64 FR 57780	
Chapter 8—Asbestos, Sulfur and Nitrogen Oxides				
Section 801 ..	Sulfur Content of Fuel Oils	3/15/85	8/28/95, 60 FR 44431	
Section 802 ..	Sulfur Content of Coal	3/15/85	8/28/95, 60 FR 44431	
Section 803 ..	Sulfur Process Emissions	3/15/85	8/28/95, 60 FR 44431	
Section 804 ..	Nitrogen Oxide Emissions	3/15/85	8/28/95, 60 FR 44431	
Section 805 ..	Reasonably Available Control Technology For Major Stationary Sources of Oxides of Nitrogen.	11/19/93 and 12/8/00	Type: 12/26/00	
Section 899 ..	Definitions and Abbreviations	3/15/85	8/28/95, 60 FR 44431	
Chapter 9—Motor Vehicle Pollutants, Lead, Odors, and Nuisance Pollutants				
Section 904 ..	Oxygenated Fuels	7/25/97	May 9, 2001 66 FR 23614	Addition of sub-section 904.3 to make the oxygenated gasoline program a CO contingency measure.
Section 915 ..	National Low Emission Vehicle Program	02/11/00	07/20/00 65 FR 44984	

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EPA-APPROVED DISTRICT OF COLUMBIA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Comments
Chapter 10—Nitrogen Oxides Emissions Budget Program				
Section 1000	Applicability	12/08/00	12/22/00 65 FR 80784	
Section 1001	General Provisions	12/08/00		
Section 1002	Allowance Allocation	12/08/00		
Section 1003	Permits	12/08/00		
Section 1004	Allowance Transfer and Use	12/08/00		
Section 1005	Allowance Banking	12/08/00		
Section 1006	NO _x Allowance Tracking System	12/08/00		
Section 1007	Emission Monitoring	12/08/00		
Section 1008	Record Keeping	12/08/00		
Section 1009	Reporting	12/08/00		
Section 1010	End-Of-Season Reconciliation	12/08/00		
Section 1011	Compliance Certification	12/08/00		
Section 1012	Penalties	12/08/00		
Section 1013	Program Audit	12/08/00		
Section 1014	NO _x Budget Trading Program For State Implementation Plans.	5/01/01	11/01/01	
Section 1099	Definitions and Abbreviations	12/08/00		
Appendices				
Appendix 1 ...	Emission Limits for Nitrogen Oxide	03/15/85	8/28/95 60 FR 44431	
Appendix 2 ...	Table of Allowable Particulate Emissions from Process Sources.	03/15/85	8/28/95 60 FR 44431	
Appendix 3 ...	Allowable VOC Emissions Under Section 710	03/15/85	8/28/95 60 FR 44431	
Appendix 5 ...	Test Methods for Sources of Volatile Organic Compounds.	10/02/98	10/27/99 64 FR 57780	
Title 18—Vehicles and Traffic				
Chapter 4 Motor Vehicle Title and Registration				
Section 411 ..	Registration of Motor Vehicles: General Provisions.	10/10/86	June 11, 1999	
Section 412 ..	Refusal of Registration	10/17/97	June 11, 1999	
Section 413 ..	Application for Registration	9/16/83	June 11, 1999	
Section 429 ..	Enforcement of Registration and Reciprocity Requirements.	3/4/83	June 11, 1999	
Chapter 6 Inspection of Motor Vehicles				
Section 600 ..	General Provisions	4/23/82	June 11, 1999	
Section 602 ..	Inspection Stickers	3/15/85	June 11, 1999	
Section 603 ..	Vehicle Inspection: Approved Vehicles	6/29/74; Recodified 4/1/81	June 11, 1999	
Section 604 ..	Vehicle Inspection: Rejected Vehicles	11/23/84	4/10/86, 51 FR 12322	
Section 606 ..	Vehicle Inspection: Condemned Vehicles	6/29/74; Recodified 4/1/81	June 11, 1999	
Section 607 ..	Placement of Inspection Stickers on Vehicles	4/7/77; Recodified 4/1/81	June 11, 1999	
Section 608 ..	Lost, Mutilated or Detached Inspection Stickers ..	6/30/72; Recodified 4/1/81	June 11, 1999	
Section 609 ..	Inspection of Non-Registered Motor Vehicles	6/30/72; Recodified 4/1/81	June 11, 1999	
Section 617 ..	Inspection Certification	7/22/94	June 11, 1999	
Section 618 ..	Automotive Emissions Repair Technician	7/22/94	June 11, 1999	
Section 619 ..	Vehicle Emission Recall Compliance	10/17/97	June 11, 1999	
Chapter 7 Motor Vehicle Equipment				
Section 701 ..	Historic Motor Vehicles	2/25/78; Recodified 4/1/81	June 11, 1999	

EPA-APPROVED DISTRICT OF COLUMBIA REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Comments
Section 750 ..	Exhaust Emission Systems	4/26/77; Recodified 4/1/81	June 11, 1999	
Section 751 ..	Compliance with Exhaust Emission Standards	7/22/94	June 11, 1999	
Section 752 ..	Maximum Allowable Levels of Exhaust Components.	10/17/97	June 11, 1999	
Section 753 ..	Inspection of Exhaust Emission Systems	5/23/83	4/10/86, 51 FR 12322	
Section 754 ..	Federal Transient Emissions Test: Testing Procedures.	7/22/94	June 11, 1999	
Section 755 ..	Federal Transient Emissions Test: Equipment	7/22/94	June 11, 1999	
Section 756 ..	Federal Transient Emissions Test: Quality Assurance Procedures.	7/22/94	June 11, 1999	
Chapter 11 Motor Vehicle Offenses and Penalties				
Section 1101	Offenses Related to Title, Registration, and Identification Tags.	6/30/72; Recodified 4/1/81	June 11, 1999	
Section 1103	Offenses Related to Inspection Stickers	6/30/72; Recodified 4/1/81	June 11, 1999	
Section 1104	False Statements, Alterations, Forgery, and Dishonest Checks.	11/29/91	June 11, 1999	
Section 1110	Penalties for Violations	11/29/91	June 11, 1999.	
Chapter 26 Civil Fines for Moving and Non-Moving Violations				
Section 2600.1.	Infraction: Inspection, Registration Certificate, Tags.	8/31/90	June 11, 1999	
Chapter 99 Definitions				
Section 9901	Definitions	10/17/97	June 11, 1999	

(d) *EPA approved State source specific requirements.*

EPA-APPROVED DISTRICT OF COLUMBIA SOURCE-SPECIFIC REQUIREMENTS

Name of Source	Permit number	State effective date	EPA approval date	Comments
General Services Administration Central Heating and Refrigeration Plant and West Heating Plant.	N/A—it is the operating permit issued to GSA by the District of Columbia on October 17, 1997.	Oct 17, 1997.	Sept 30, 1999, 64 FR 52657..	The following portions of GSA's operating permit are not included in the SIP: The portion of Condition 3 referring to Table 1, Table 1, Condition 4, Table 3, and Condition 17.

(e) [Reserved]

[63 FR 67417, Dec. 7, 1998, as amended at 64 FR 31500, June 11, 1999; 64 FR 52657, Sept. 30, 1999; 64 FR 57780, Oct. 27, 1999; 64 FR 68294, Dec. 7, 1999; 65 FR 44984, July 20, 2000; 65 FR 80784, Dec. 22, 2000; 65 FR 81370, Dec. 26, 2000; 66 FR 23614, May 9, 2001; 66 FR 55102, Nov. 1, 2001]

EFFECTIVE DATE NOTE: At 68 FR 33639, June 5, 2003, § 52.470(c) was amended by revising

the entry for Chapter 4 and adding an entry to Chapter 4 after the second existing entry, effective Aug. 4, 2003. For the convenience of the user the revised text follows:

§ 52.470 Identification of plan.

* * * * *

(c) EPA approved regulations.

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EPA-APPROVED DISTRICT OF COLUMBIA REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Comments
Chapter 4	Ambient Monitoring, Emergency Procedures, Chemical Accident Prevention and Conformity			
Section 403	Determining Conformity of Federal Actions to State or Federal Implementation Plans.	11/6/98	6/5/03 68 FR 33639.	

§ 52.471 Classification of regions.

The District of Columbia plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
National Capital Interstate	I	I	III	I	I

[37 FR 10857, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 46 FR 61263, Dec. 16, 1981]

§ 52.472 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves the District of Columbia's plan for the attainment and maintenance of the national standards.

(b) With respect to the transportation control strategies submitted on April 19, July 9, and July 16, 1973, the Administrator approves the measures for parking surcharge, car pool locator, vehicle inspection, express bus lanes, increased bus fleet and service, elimination of free parking by private employers, with exceptions set forth in §§ 52.476, 52.483, 52.486, and 52.479.

(c) With the exceptions set forth in this subpart, the Administrator approves the District of Columbia's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977.

(d) Section 710 of title 20 of the District of Columbia Regulations is approved with the following condition: Any alternative controls or exemptions under section 710.8 approved or granted

by the District of Columbia are subject to a public notice and public hearing requirements and must be submitted to EPA as SIP revisions. Such alternatives or exemptions are not effective until approved as SIP revisions by EPA.

(e) [Reserved]

(f) Disapproval of revisions to the District of Columbia State Implementation Plan, District of Columbia Municipal Regulations (DCMR) Title 20, Sections 200, 201, 202, 204 and 299, pertaining to permitting of sources, and associated definitions in Section 199 submitted on June 21, 1985 and October 22, 1993 by the Mayor of the District of Columbia (1985 submittal) and by the Administrator of the District of Columbia Environmental Regulation Administration (1993 submittal). The disapproved regulations include those applicable to major new and major modified sources wishing to locate in the District. A new source review program for such major sources is required under sections 182 and 184 of the Clean Air Act. There are many deficiencies in the DCMR permitting regulations. Some of these deficiencies are the lack